

An extracte of the determinacion, and censure of the Doctours of the vni-
uersities of Salamanca and Valledolid, touching the vvarres of Ireland, and declaracion of
the Poape his Breue concerning the same vvarres.



HE moste noble Prince Hugh ONeill beareth armes against the Queene of England, and Englishmen in defence of the Catholique Religion, to vvith, that he, and all Irishme vvith him may freelic, and vvithout disturbance confesse, and professe the Catholique faith: vvith libertie the Queene of England endeuoreth to debarre them of by force of armes. About vvith vvarre there are vvvo doubttes propounded. The one is, vvithether it be lauvfull for Irish Catholiques to fauour by armes, or anny other vvay the foresaid Prince in this vvarre? The other is, vvithether it be lauvfull for the foresaid Catholiques, vvithout incurring mortall sinne, to feight against the said Prince, and helpe the Englishmen, eyther in armes, or in anny other vvay, especially feing by vvithdrawving, or denying the said helpe they expole them selues to the danger of death, and leeing all their goodes? And againe, feing the Irish Catholiques are permitted by the Poape to obey the Queene of England, and pay hir tribute, as to their lauvfull Prince, and therefore it seemeth that they may doe all that belongeth to subiectes, that is, to feight against hir rebelles, and such as seeme to invade, and vsurpe the Country subiect to hir obeysance.

To the good assoiling of both vvith questions vve must presuppose as certeine, that the Poape may compell by force of armes (vvhen there are no other meanes to remedy to greate a mischief) such as forsake the Catholique faith, and oppose them selues as enemies to Catholique Religion. It is likewise to be let dovne as certeyn, that the Queene of England doth oppugne Catholique Religion, and iuffreth not Irishmen to make publique profession of Catholique Religion, and that for that cause the foresaid Prince, and before him others, vvithom the Apostolicall letters of the Poape Clement the VIII. mencion, haue vnder taken vvarre against hir.

Vvith groundes admitted, the first question is easilie answered, for ther is no doubtte, but that all Catholiques may fauour the said Prince in his foresaid vvarre, and that vvith greate merite, and hoape of eternall revuarde. The reason is, because the said Prince sustayneth the said vvarre by authoritie of the Poape to defend the Catholique Religion, for that his Holines doth exhorte him, and all Christian people therunto, as may be seene by his Holines his letters sent forth to this purpose, vvitherin he graunteth as greate fauours, and Indulgences to such as fauour this Prince in the said vvarre, as if they should feight against the Turques. Vvho therefore can doubtte, that the vvarre is iust, and of greate merite before Almightye God, vvithich is vnder taken by such authoritie, and for such a cause?

As concerning the second question it is also certeine, that all Catholiques sinne mortally vvith which follovv the English cape against the said Prince, nor can not saue their soules, nor obtaine absolucion of anny Priest, vnlesse they repent, and forsake the english parte, and the like is also to be said of them vvith which fauour the english in that vvarre vvith munition, or victuails, or contribute anny other vvay, excepte it be by payng the ordinarie taxes, vvith which his Holines hath given them leaue to pay to the Queene and her officers. And this assertion is prooued by this manifest reason ensuing, for it is euiden by the Poape his letters, that the Queene of england, and her adherents doe make vniust vvarre vvpon the Prince, and his fauourers: for feing his Holines declareth that the english oppugne the Catholique faith, and that they ought to be fought against vvith no lesse zeale then Turques, and graunteth the like Indulgences to those that feight against them as those gaine vvith which feight against Turques, vvith who can doubtte, but that the vvarre on the english parte is altogether vniust? But no man ought to fauour, or be present at vniust vvarre, vnder paine of damnacion. And therefore, those Catholiques sinne moste greuouslie that follovv the heretiques parte against the said Prince, and all that fauour the vvarre vvith victuails, munitions, or anny other meanes that anny vvay passe the limites of indifferent allegiance.

Neither may it auayle anny man to note the Poape his Breue or letters of surrepcion, for surrepcion can haue no place vvither there is no mecio of anny peticio at vvithose instance it was granted, but the Poape doth oppenlie shevv in those his letters that he and his Predecessours haue of their avne acorde exhorted the Princes of Ireland, and all faithfull people vvnto that vvarre, and to animate the more theruto he hath granted greate Indulgences to this purpose. Howv therefore can the Poape his letters be noted of surrepcion, or called conterfeyte vvith which conteyne nothing but an exhortacion vvith greate fauours to such as shall assent to them? Neither can the Catholiques fauouring the English parte defend them selues by the reasons brought in the second question, for a mortall sinne must not be committed, though our life, and our goods lay on it: but it is plaine, that to further or healde an vniust vvarre is a mortall sinne, &c. And it is onely graited to Catholiques to giue to the hereticall Queene such alleageance as oppugne the Catholique Religion. Neither was it nor could it be his Holines his intent to permitte them to doe the Queene such seruices as are quite contrarie to his purpose of furthering the Catholique faith in Ireland: vvith which to be his purpose his letters doe euidenlie declare.

By all vvith which it is moste euidenlie prooued, that the Prince ONeill, and all the Catholiques of Ireland, that beare armes against the hereticall Queene, that oppugne the Catholique faith, are not rebels, nor vvithdrawve not their treve and deve obedience, neither doe vniustlie vsurpe the Queenes countries, or dominion, but doe rather by iust vvarre defend them selues, and their countrie from vvithked Tirannie, and defend vvith all their might the Catholique faith, as it becometh good Christiā Catholiques to doe. All vvith which assertions iointlie, and in particular, as they be heere sett dovne, all vve vvith whose names are subscribed doe iudge, and approue as certaine, and moste treve. Given at Salamanca the second of February. 1603.

Fr. Franciscus Zuñel, Deane of the facultie of diuinitie.

Fr. Petrus de Herreya, professor of diuinitie.

Fr. Petrus de Ledesma.

D. Franciscus Sobrino, Deane of the facultie of diuinitie in the vniuersitie of Valledolid.

D. Ioannes Garcia Coronel.

and Maisters of Diuinitie in the vniuersitie of Valledolid.

Father Ioannes de Ziguera.

in the foresaid vniuersitie of Salamanca.

Fr. Martinus Peraça.

Magis. Fr. Ioannes Negron.

Fath. Emanuel de Rojas.

Father Petrus Oforius, ordinarie preacher for the tyme of the said Colledge.

Mag. Ioannes Alphonfus de Curiel, professor of Diuinitie.

Doct. Francis. Sancini.

Fr. Dionis. Iuberus.

Mag. Andreas de Leon.

All vvith which are Doctours and Maisters of Diuinitie in the vniuersitie of Salamanca.

D. Alphonfus Vaca de Sanctiago.

D. Torre.

Fr. Iosephus de Luxan.

All vvith which be Doctours

Fath. Gaspar de Mena, professors of Diuinitie in the Colledge of the Societie of IESVS